

## **EXHIBIT 17**

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

**NORTHWESTERN CORPORATION,**  
Debtor.

Chapter 11

Case Nos. 03-12872 (JLP)

**NORTHWESTERN CORPORATION,**  
Plaintiff,  
-vs-  
**MAGTEN ASSET MANAGEMENT  
CORPORATION, and TALTON R.  
EMBRY,**  
Defendants.

Adv. No. 04-55051 (JLP)

**ORDER WITH RESPECT TO MOTION OF MAGTEN ASSET  
MANAGEMENT CORPORATION AND TALTON R. EMBRY PURSUANT  
TO RULE 7041(A) OF THE FEDERAL RULES OF BANKRUPTCY  
PROCEDURE FOR THE PAYMENT OF FEES AND EXPENSES INCURRED**

For the reasons set forth in the Court's Memorandum Opinion of this date,

IT IS ORDERED that the Motion of Magten Asset Management Corporation and Talton R. Embry Pursuant to Rule 7041(a) of the Federal Rules of Bankruptcy Procedure for the Payment of Fees and Expenses Incurred [Docket No. 97] is denied in toto.

DATED this 6th day of June, 2005.

BY THE COURT

  
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HON. JOHN L. PETERSON  
United States Bankruptcy Judge